

EXPRESS MAIL LABEL NO.: EV373692257US

DATE: October 15, 2004

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER REGIM 3.3-040
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/511565
INTERNATIONAL APPLICATION NO. PCT/FR03/01197	INTERNATIONAL FILING DATE 15 April 2003	PRIORITY DATE CLAIMED 17 April 2002
TITLE OF INVENTION METHOD FOR PRODUCTION OF A TUNABLE OPTICAL FILTER		
APPLICANT(S) FOR DO/EO/US Alain Mugnier, Rachelle Leroux, Philippe Yvernault, and David Pureur		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published International Application under 35 U.S.C. 154(d)(4). (French)
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of International Search Report, Eight (8) Sheets of Formal Drawings, Return Receipt Postcard

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) <div style="font-size: 1.5em; font-weight: bold; margin-left: 100px;">107511565</div>	INTERNATIONAL APPLICATION NO. PCT/FR03/01197	ATTORNEY'S DOCKET NUMBER REGIM 3.3-040																																
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		CALCULATIONS PTO USE ONLY <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: right;">\$</td> <td style="width: 70%; text-align: right;">950.00</td> <td style="width: 20%;"></td> </tr> <tr> <td style="text-align: right;">\$</td> <td></td> <td></td> </tr> </table>	\$	950.00		\$																												
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a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>12-1095</u> in the amount of \$ <u>1,003.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>12-1095</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																		
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> 600 South Avenue West Westfield, New Jersey 07090 CUSTOMER NUMBER: 000530 </div> <div style="width: 50%; text-align: center;"> <div style="margin-bottom: 10px;"> SIGNATURE </div> <div style="margin-bottom: 10px;"> <u>Orville R. Cockings</u> NAME </div> <div> <u>42,424</u> REGISTRATION NUMBER </div> </div> </div>																																		

Street of mailing address:: 117, boulevard de la Corniche
City of mailing address:: Perros-Guirec
Country of mailing address:: France
Postal or Zip Code of mailing address:: F-22700

Correspondence Information

Correspondence Customer Number:: 000530

Representative Information

Representative Customer Number:: 000530

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/FR03/01197	04/15/03

Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::
France	02/04821	04/17/02	Yes

Assignee Information

Assignee name:: Highwave Optical Technologies
Street of mailing address:: Espace Pégase,
11, rue de Broglie
City of mailing address:: Lannion
Country of mailing address:: France
Postal or Zip Code of mailing address:: F-22300